



# Town of Merrimack, New Hampshire

Community Development Department

6 Baboosic Lake Road

Town Hall - Lower level - East Wing

Planning - Zoning - Economic Development - Conservation

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## **Memorandum**

**Date:** May 20, 2022

**To:** Richard Conescu, Chair, & Members, Zoning Board of Adjustment

**From:** Casey Wolfe, Assistant Planner

**Subject:** **Mark Giorgini (petitioner/owner)** – Variance under Section 3.05 of the Zoning Ordinance to permit the construction of a deck 8 feet from the side property line whereas 15 feet is required. The parcel is located at 99 Front Street in the R-4 (Residential, by soils), Aquifer Conservation & Elderly Housing Overlay Districts, and Wellhead Protection Area. Tax Map 6E-1, Lot 6. ZBA Case# 2022-19

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The following information is provided to aid in your consideration of the above referenced case. Additional background and application materials are included in your packet.

### **Background**

The subject property comprises approximately 0.29 acres and is located in the R-4 (Residential, by soils), Aquifer Conservation & Elderly Housing Overlay Districts, and Wellhead Protection Area. The parcel is abutted by other residential uses. The site is serviced by Merrimack Village District and public sewer. The property received a variance in 1982 for a garage 10 feet from the side property line (the garage has since been converted into living space it appears).

The petitioner seeks to construct a deck 8 feet from the side property line whereas 15 feet is required.

### **Standard of Review**

It is the burden of the petitioner to demonstrate that the five criteria for the granting of the variance under Section 3.02 of the Zoning Ordinance to permit the construction of a deck 8 feet from the side property line whereas 15 feet is required, are met.

Ec: Mark Giorgini, petitioner/owner  
Building Department Staff  
John Manuele, Fire Marshal

Cc: Zoning Board File